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UTAH DEPARTMENT OF  
ENVIRONMENTAL QUALITY

JAN 26 2007

DIVISION OF AIR QUALITY

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### BEFORE THE UTAH AIR QUALITY BOARD

In Re: Approval Order – the Sevier  
Power Company 270 MW Coal-Fired  
Power Plant, Sevier County  
Project Code: N2529-001  
DAQE-AN2529001-04

: SIERRA CLUB AND  
: PACIFICORP STIPULATION  
: REGARDING INTERVENTION  
: INTO SPC MATTER  
:

The Utah Chapter of the Sierra Club and Grand Canyon Trust (collectively “Sierra Club”) hereby agree **not** to oppose PacifiCorp’s Renewed Petition to Intervene in the Sevier Power Company matter currently before the Utah Air Quality Board, limited to the following issues raised in Sierra Club’s request for agency action:

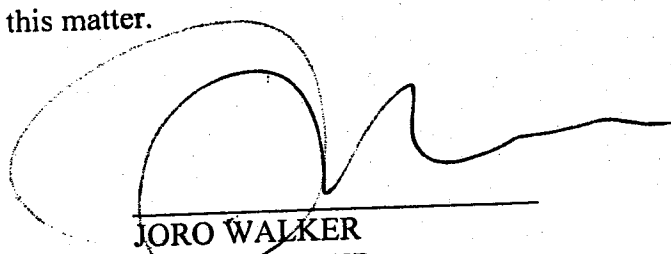
1. Utah Division of Air Quality/the Executive Secretary (DAQ) failed to address carbon dioxide and other greenhouse gas emissions in issuing the Sevier Power Company PSD permit.
2. DAQ Failed to Consider Adequately Integrated Gasification Combined Cycle in its BACT (Best Available Control Technology) Determination for the Sevier Power Company Facility.

Sierra Club agrees not to oppose PacifiCorp's Renewed Petition to Intervene given that PacifiCorp hereby agrees that it will not attempt to raise in the Sevier Power Company proceeding any issues and/or facts relevant only to the permit issued for New Unit 3 at Intermountain Power Generating Station. However, Sierra Club agrees that PacifiCorp may attempt to raise in the Sevier Power Company proceeding any common issues and/or common facts that may be relevant to both the Sevier Power Company proceeding and to the permit issued for New Unit 3 or to permitting issues in general. PacifiCorp further agrees in the Sevier Power Company proceeding that it will confine itself to the facts and issues relevant to the Sevier Power Company proceeding for the two issues noted above.

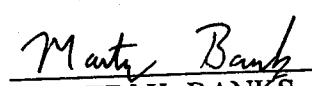
PacifiCorp hereby withdraws its request to intervene regarding what it listed as "Appeal Point 2 (Supercritical PC Boiler as BACT)" in its Renewed Petition to Intervene because Sierra Club has not raised the issue of a supercritical pulverized coal boiler as BACT in its request for agency action related to Sevier Power Company's proposed circulating fluidized bed plant.

PacifiCorp agrees to abide by the schedules establish in the Board's scheduling order of January 3, 2007 in this matter and in the Joint Stipulated Motion to Set Interim Scheduling dated January of 2007, also in this matter.

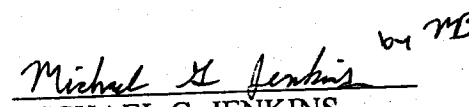
Dated: January 25<sup>th</sup>, 2007



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MICHAEL G. JENKINS <sup>by MB</sup>  
Assistant General Counsel  
PacifiCorp

CERTIFICATE OF SERVICE

I hereby certify that on this 25<sup>th</sup> day of January 2007, I caused a copy of the foregoing Sierra Club and PacifiCorp Stipulation Regarding Intervention Into SPC Matter to be mailed by United States Mail, postage prepaid, to the following:

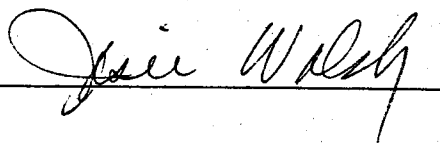
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